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REMARKS/ARGUMENTS

The examiner is again respectfully requested to reconsider her rejection of claim 1 as being unpatentable over Brochu (US 2004/0187394) in view of Meckstroth (US 6412228) as applied under 35 U.S.C. 103(a) in view of the following additional facts.

Claim 1 now in the application calls for "...the bottom wall of the channel (to be) aligned with the panel..". The word 'align' as defined by the Webster-Merriam dictionary means 'to bring into line or alignment'. The word 'alignment' is defined as 'the state of being aligned'. So the channel being aligned with the panel is in alignment with the panel or in line with it. The word 'line' is defined as 'a straight (or curved) geometric element that is generated by a point and that has extension only along the path of the point'. The word 'straight' is defined as 'being free of curves, bends, angles or irregularities' and is also defined as 'being generated by a point moving in the same direction and expressed by a linear equation'.

From the common dictionary definition of the word 'aligned', the bottom wall of applicant's channel is in line with the panel, the bottom wall and panel both lying on a line generated by a point moving in the same direction and expressed by a linear equation.

The examiner has stated that the bottom wall (76) of the channel in Meckstroth is aligned with the main section (45, 68, 71). According to the definition of 'aligned' this is not a correct statement. The main section is not 'straight'. A portion (52) of the main section is 'straight' but the bottom wall (76) is not in line with it. The other portion (68, 71) of the main section is an irregular S curve and the bottom wall (76) is not even 'aligned' with the end of this irregular curve (the wall 76 extends off at an angle). The bottom wall (76) may form an extension of the irregular curve (68, 71) but it is certainly not 'aligned' with it. It is noted

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from above definition of 'line' that it refers to a straight (or curved) geometric element. A geometric element is a straight line or a circle by way of example. The S-shaped curve (68, 71) in Meckstroth is not a geometric element. The entire main section (45, 68, 71) in Meckstroth is not a geometric element and therefore is not a straight (or curved) line, and therefore the bottom wall cannot be in line or aligned with it.

Applicant's claim 1 calls for the bottom wall of the channel to be aligned with the panel. Meckstroth, because of the inclusion of the S section (68, 71), does not have the bottom wall of his channel aligned with the S section and thus with the main section (45, 68, 71). Again, the bottom wall may follow the main section, including the S section, but it is not aligned with them. To say that it is, is to ignore the ordinary dictionary meaning of the word 'aligned'.

Because the bottom wall in Meckstroth is not aligned with the main section, there is no teaching to align the bottom wall of the channel with the main section in Brochu if the channel is incorporated in Brochu. In fact, Meckstroth appears to teach that the channel must be located below the main section and not aligned with it.

In view of the differences between applicant's cover and the Brochu cover as modified by Meckstroth both with regard to having a flat or straight main section as compared to a convoluted main section (as discussed in applicant's letter of Feb. 9, 2007) and an aligned bottom wall as compared to an unaligned bottom wall, it is believed that claim 1 patentably distinguishes over Brochu when modified by Meckstroth and that the Final Action should be withdrawn.

Applicant's agent apologizes for the piecemeal arguments but the arguments need to be made.

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